

REMARKS

Applicant respectfully traverses and requests reconsideration.

As a preliminary matter, Applicant wishes to thank the Examiner for the notice that claims 15-24, 36-43 and 49 are allowed and that claims 3, 9, 12, 33 and 46 would be allowable if rewritten in independent form to include limitations from any intervening claims.

The previous rejections of Claims 1-6, 8, 10-18, 20-29, 31-38, 40-48 have been withdrawn. However, a new ground of rejection is made in view of U.S. Patent No. 5,319,705 (Halter).

Claims 10, 27, and 30 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 10 and 27 are objected to as allegedly reciting a limitation of “the set of comparing” which allegedly did not have an antecedent basis. However, Applicant respectfully notes that these claims depend on other claims which contain the requisite antecedent. For example, with respect to claim 10, claim 6 introduces the comparing step. As such, these claims are believed to be allowable as written. As to claim 30, Applicant has amended the typographical error.

Claims 1, 2, 4-8, 10, 11, 13, 14, 25-29, 31, 32, 34, 35, 44, 45, 47, and 48 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,319,705 (Halter). The Halter reference is directed to a method and system for multimedia access control enablement which allows for secure distribution of software files from a software distribution processor to a user processor. A user processor can only use a subset of lesser plurality of software files. Where software files are encrypted under different file encryption keys, a customer key may serve as a key expression for encrypting the file encryption keys. When a specific user processor needs to run one of the software files, a request is transmitted to the software distribution processor. In

response, an encrypted file encryption key specific for the requested file is transmitted to the user processor. This enables the user processor to decrypt only the requested file from the CD-ROM.

The Office Action equates the “file recovery program” of Halter with the claimed “security key manifest” in the claims. However, Applicant respectfully submits that this interpretation does not appear to be proper and as such, the claims are believed to be allowable.

For example, Applicant claims in claim 1, a “configurable security key manifest operative to contain a non-prespecified number of security keys.” In contrast, the file recovery program of Halter is not a configurable security key manifest and does not contain a non prespecified number of security keys. This is because the file recovery program appears to simply be a software program that decrypts and recovers files. It does not contain security keys nor is it configurable as required by the claims. In fact, it appears that the invention described in Halter provides a very different operation. For example, Applicant’s claimed invention among other things, allows, a subscriber or other entity to update a preexisting credential set based on the comparison, for example, of keys represented in the manifest and those provided in a preexisting credential set. No such dynamic security keys creation mechanism is described in the Halter reference. Accordingly, the claims are believed to be condition for allowance.

In addition, for example, with respect to claim 2, if the Office Action’s interpretation was correct, it does not appear that this would be technically or grammatically proper. For example, as required in claim 2, a new public key pair for a subscriber is generated based on “content of the configurable key manifest”. If a configurable security key manifest was interpreted to be the file recovery software program, the file recovery software program would have to contain content. However, as noted in Applicant’s previous Response and stated throughout the specification, the security key manifest referenced in Applicant’s specification and claims may

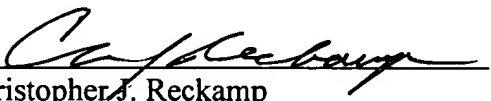
be for example a graphic user interface template that is presented through a graphic user interface, a list of key pair records (for example, see page 5, lines 5-6, specification, page 6, lines 10-15).

The other dependent claims add additional novel and non-obvious subject matter.

Referring to claims 13 and 34, Applicant respectfully reasserts the relevant remarks made above with respect to the independent claims.

Accordingly, Applicant respectfully submits that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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